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LETTER DATED 4 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a letter dated 4 August 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia, Mr. Mate Granić, addressed to you.

I would kindly request your assistance in circulating this letter and its annex as a document of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'Affaires a.i.

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Annex

Letter dated 4 August 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

I have the honour to inform you that at 5 a.m. Central European time, on Thursday, 4 August 1995, the Croatian military and police forces commenced a decisive operation aimed at restoring the rule of law, constitutional order and public safety in the occupied territories of Croatia, as defined in General Assembly resolution 49/43, as well as to help to sustain the defence of the United Nations-declared safe area of Bihać.

Let me recall that, following the fall of the United Nations-declared safe areas of Žepa and Srebrenica and the joint offensive against Bihać, as well as the repeated clear violations of the international borders of Croatia, my Government, in a letter to the President of the Security Council, on 20 July 1995, warned that, should the Bihać area be gravely threatened and in danger of falling immediately, the vital strategic interests of my country would be jeopardized and Croatia would be compelled to take decisive action in accordance with its international obligations towards Bosnia and Herzegovina, as well as with Article 51 of the Charter of the United Nations.

The Government of Croatia has been forced to resort to decisive measures for a number of reasons. Let me emphasize just some of the important ones:

(a) The complete failure of the International Conference on the Former Yugoslavia-mediated talks in Geneva between the representatives of the Croatian Government and the Croatian Serbs, during which the offer made in good faith by the Republic of Croatia to begin immediately the process of peaceful reintegration of the occupied territories was adamantly rejected by the Knin rebel authorities;

(b) The continuation of the attacks on the Croatian urban centres from the occupied territories as well as from the territories of Bosnia and Herzegovina under Serbian control, even while the Geneva talks were still in progress, as well as afterwards;

(c) The unrelenting offensive and repeated attacks on the United Nations safe area of Bihać, as well as the public announcement made by the Bosnian Serb leadership, including Radovan Karadžić himself, which left no doubts as to their intention to launch immediately an all-out attack and overrun the defence of the aforementioned United Nations safe area;

(d) The failure to implement the mandate of UNCRO, which has proven totally ineffective, especially regarding the control of the international borders of the Republic of Croatia to prevent the interference and deployment of the Army of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the cross-border joint and coordinated attacks of the Bosnian Serbs and Croatian Serb rebel forces against Croatia and Bosnia and Herzegovina;

(e) The frustration of the Government of the Federation of Bosnia and Herzegovina and the Republic of Bosnia and Herzegovina with the failure of the United Nations Protection Force (UNPROFOR) (Bosnia and Herzegovina) to carry out its mandate; with unfulfilled obligations of the international community to prevent an overall attack on and strangulation of the United Nations-declared safe areas; with the overall pattern of taking United Nations personnel as hostages; and the well-known large-scale genocide committed against the civilians in the "safe areas" of Srebrenica and Žepa;

(f) The obligation of my Government to fulfil the commitments under the Split Declaration of 22 July 1995 for the joint defence of the two Governments against the Serbian aggression, and a request of the Government of Bosnia and Herzegovina for military assistance and help based on previous bilateral agreements for military cooperation and the internationally sponsored Washington agreements, as well as the legitimate right to self-defence of the States Members of the United Nations;

(g) The policy of continued appeasement of the international community towards the Belgrade Government, the sponsor of the occupation of the parts of Croatia and Bosnia and Herzegovina.

From the very outset five years ago, the Republic of Croatia has spared no effort to seek peaceful reintegration of the occupied territories of Croatia and normalization of the relations between the States in the region. Our agreement to resume talks with the Croatian Serbs' representatives recently in Geneva was an integral part of this policy. But instead of demonstrating readiness to negotiate and accept Croatia's sovereignty and territorial integrity, as well as the Constitution and the constitutional law that define the highest standards of the individual and collective rights of the Serb community within Croatia as the basic framework for negotiations, the Serb leadership has engaged in yet another duplicity: attending the talks in Geneva and in the end rejecting the proposals, while at the same time exposing Croatian cities, including the historic city of Dubrovnik, to long-range artillery and mortar fire. On the other hand, while agreeing to the seven-point proposal made by the United States Ambassador, Mr. Peter Galbraith, in Belgrade, Mr. Milan Babić made public statements to the contrary, or changed the very substance of Mr. Galbraith's proposals in such a manner as to make them unacceptable to the Government of Croatia.

Faced with the joint and highly coordinated offensive military activities of the Croatian and Bosnian Serbs, and the growing interference of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Croatia presented the Croatian Serb leaders with a clear choice: to accept immediately the principles of peaceful reintegration or face police and military action aimed at restoring Croatian sovereignty over its occupied territories. In this respect, the President of the Republic of Croatia, Franjo Tudjman, appealed to the Serb population in the occupied territories to lay down their arms, and extended an amnesty to the mobilized Serb irregular forces, renewing guarantees for the safety and constitutional rights of the Serb community within Croatia.

In its legitimate police and military action, the Republic of Croatia is willing to cooperate with the international community, as it has done on

numerous occasions, in monitoring and aiding the post-conflict restoration of Croatian authorities, respect for human rights, reconciliation and reconstruction process in the occupied territories.

My Government fully appreciates the concerns of the international community at large about the danger of the spill-over of the conflict throughout the region, and will do its best to prevent it. At this point, it is of the utmost importance for the international community to warn Belgrade to refrain from widening the war.

We also understand and fully appreciate the concerns of the Security Council, especially of the troop-contributing countries, for the safety of United Nations personnel. Croatia will do its best in providing and ensuring the security of these troops under the existing circumstances. We have already informed them about our intentions and will continue to do so. In this regard, my Government considers repositioning of these troops out of the areas of the immediate action, in order to prevent the notorious Serbian practice of taking United Nations personnel as hostages, to be of the utmost importance.

My Government will continue to inform you about developments and to cooperate fully with the Security Council, the United Nations Secretariat, the five-nation Contact Group, the European Union and the Organization for Security and Cooperation in Europe in an effort to bring this operation to a quick and successful end and to stabilize the situation as soon as possible.

It is the firm intention of my Government to minimize the civilian casualties and uphold all principles of the international humanitarian law in the course of the operation.

My Government is also doing everything within its power to ensure and protect and safety of the United Nations and UNCRO personnel under the given circumstance.

(Signed) Mate GRANIĆ